

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION**

**HITACHI GLOBAL STORAGE
TECHNOLOGIES NETHERLANDS, B.V.,**

Plaintiff,

v.

**SAMSUNG ELECTRONICS COMPANY,
LTD., SAMSUNG SEMICONDUCTOR,
INC., AND SAMSUNG INFORMATION
SYSTEMS AMERICA, INC.**

Defendants.

Civil Action No. 9:06-CV-276

JUDGE RON CLARK

**SAMSUNG ELECTRONICS COMPANY,
LTD., SAMSUNG SEMICONDUCTOR,
INC., AND SAMSUNG INFORMATION
SYSTEMS AMERICA, INC.,**

Counterclaim-Plaintiffs,

v.

**HITACHI GLOBAL STORAGE
TECHNOLOGIES NETHERLANDS, B.V.,
AND HITACHI GLOBAL STORAGE
TECHNOLOGIES, INC.**

Counterclaim-Defendants.

STIPULATION OF DISMISSAL WITH PREJUDICE

Hitachi Global Storage Technologies Netherlands, B.V. and Hitachi Global Storage Technologies, Inc. (collectively "HGST") and Samsung Electronics Company, Ltd., Samsung Semiconductor, Inc., and Samsung Information Systems America, Inc. (collectively "Samsung"), by and through their undersigned counsel, hereby stipulate that all claims raised in the

Complaints and all counterclaims in the above-identified actions shall be dismissed with prejudice pursuant to a settlement agreement reached by the Parties. The Parties stipulate that each party shall be responsible for its own fees and costs and that the U.S. District Court for the Eastern District of Texas will retain jurisdiction to enforce the settlement agreement.

Dated: December 20, 2007

Respectfully submitted,

By: /s/ J. Thad Heartfield
J. Thad Heartfield (Texas Bar No. 09346800)
The Heartfield Law Firm
2195 Dowlen Road
Beaumont, Texas 77706
Telephone: 409.866.3318
Facsimile: 409.866.5789

Mark G. Davis (*Admitted Pro Hac Vice*)
John R. Fuisz (*Admitted Pro Hac Vice*)
Ronald J. Pabis (*Admitted Pro Hac Vice*)
Stephen K. Shahida (*Admitted Pro Hac Vice*)
Bureden J. Warren (*Admitted Pro Hac Vice*)
McDERMOTT WILL & EMERY LLP
600 13th Street, N.W.
Washington, D.C. 20005-3096
Telephone: 202.756.8000
Facsimile: 202.756.8087

**Attorneys for Plaintiff and Counterclaim-
Defendants**
**HITACHI GLOBAL STORAGE
TECHNOLOGIES NETHERLANDS, B.V.
AND HITACHI GLOBAL STORAGE
TECHNOLOGIES, INC.**

By: /s/ John M. Guaragna
Clyde M. Siebman (Bar No. 18341600)
SIEBMAN, REYNOLDS, BURG & PHILLIPS, LLC
Federal Courthouse Square
300 N. Travis Street
Sherman, TX 75090
Tel: (903) 870-0070
Fax: (903) 870-0066

George B. Butts (Bar No. 03543500)
John M. Guaragna (Bar No. 24043308)
DLA PIPER US LLP
1221 S. Mopac Expressway, Suite 400
Austin, TX 78746
Telephone: 512.457.7125
Fax: 512.457.7001

Mark Fowler (Pro Hac Vice)
M. Elizabeth Day (Pro Hac Vice)
Brent K. Yamashita (Pro Hac Vice)
Carrie L. Williamson (Pro Hac Vice)
Brian P. Wikner (Pro Hac Vice)
DLA PIPER US LLP
2000 University Avenue
East Palo Alto, CA 94303
Tel: (650) 833-2000
Fax: (650) 833-2001

John Kinton (Pro Hac Vice)
Robert C. Williams (Pro Hac Vice)
DLA PIPER US LLP
400 B Street, Suite 1700
San Diego, CA 92101-4297
Tel: (619) 699-2700
Fax: (619) 699-2701

**Attorneys for Defendants and Counterclaim-
Plaintiffs**

SAMSUNG ELECTRONICS CO., LTD.;
SAMSUNG SEMICONDUCTOR, INC.;
SAMSUNG INFORMATION SYSTEMS
AMERICA, INC.

CERTIFICATE OF SERVICE

The undersigned certifies that all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this the 20th day of December, 2007. Any other counsel of record will be served by first class mail.

/s/ J. Thad Heartfield
J. Thad Heartfield